

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70667 of 2022

Arising Out of PS. Case No.-42 Year-2021 Thana- MAIGRA District- Gaya

1. DILIP YADAV Son of Kundan Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya
2. Pradeep Yadav Son of Kundan Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya
3. Guddu Yadav @ GUDDU KUMAR Son of Santan Yadav @ Satyendra Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya
4. Pintu Kumar @ Pintu Yadav Son of Bhola Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya
5. Satyendra Yadav @ SATENDRA YADAV Son of Sohar Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya
6. Santan Yadav Son of Late Vrishaspat Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya
7. Kheban Yadav @ Kheman Yadav Son of Late Jagdish Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya
8. Kara Yadav @ Karu Yadav Son of Late Vrihaspat Yadav Resident of Village - Harnitola, Murliganj, P.S.- Maigra, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Kumar, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, Addl. Public Prosecutor

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 05-05-2023 Heard learned counsel for the petitioners and the State.

Petitioners apprehend their arrest in a case registered for the offence punishable under section 307 & other allied sections of the Indian Penal Code and Section 27 of the Arms Act.



As per the prosecution case, on 25.11.2021 at about 5.00 PM\, while the informant along with her family members were working in the field, in the meantime, all the F.I.R. named accused persons including these petitioners, equipped with *Tangi, Bhala, Garasa*, came there and started assaulting them, due to which, five persons of the informant side sustained injury.

Learned counsel for the petitioners submits that there is general and omnibus allegation of assault against these petitioners and no overt act is alleged against them. Specific accusation of assault is against other co-accused persons. The doctor has found all the injuries to be simple in nature, except one injury sustained by Anant Yadav, which is alleged to have been caused by co-accused Rajendra Yadav. There is case and counter case between the parties and both sides sustained injury. Similarly situated co-accused has already been allowed pre-arrest bail by a Bench of this Court vide order dated 26.04.2023 in Cr. Misc No. 68841 of 2022. Petitioners claim clean antecedent.

Considering the aforesaid facts and circumstances of the case, in the event of arrest or surrender within six weeks from today, let the petitioners, as named above, be enlarged on



bail on furnishing bail bond of Rs.10,000/-(ten thousand) each with two sureties of the like amount each to the satisfaction of Learned Judicial Magistrate 1st Class, Sherghatti, Gaya in connection with Maigra P.S. Case No. 42 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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